

APPLICATION CONTRACT FOR CHILD SUPPORT ENFORCEMENT SERVICES-CUSTODIAL PARENT

NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES CHILD SUPPORT ENFORCEMENT/IV-D

SFN 374 (Rev. 6-2007)

Disclosure of the social security number is required pursuant to 42 USC 654a(e)(3) and (e)(4)(D) and is requested for the purpose of inclusion in the state

case re	igistry. Fallure to disclose triis informat	ion will affect participation in	trus progra	aiii.			
Name				Sex (M or F)	Social Security Number	Date of Birth	
Addres	s	City	State Zip Code		Home Telephone Number	Office Telephone Number	
11)	am not currently a recipient of TANF (former) I previously received TANF (former) I previously received medical assist My case is now closed and Child Supp The North Dakota Department of Humparent, establish ar relative to legal action pursuant to Title	y AFDC) in the state of ance in the state of ort Enforcement services hav an Services (Department) is a d/or enforce a support obliga	ve been te	erminated. If to undertake where we and adjust supplementations.	port orders, and to execute, in	n my name, any pleadings	
Name	3			Sex (M or F)	Social Security Number	Date of Birth	
Addres	s	City		State	Zip Code	Telephone Number	
As wel	I as me and the following children:						
	NAME	SEX (M or F)		AL SECURITY NUMBER	DATE OF BIRTH	RELATIONSHIP TO CHILD IF NOT PARENT	
		, MI OI I /	•	TOMOLIT			
IH)	I understand that I can apply to receive Enforcement services as described in Locate-only services	e services related only to loc subsection II above. Check	ating the r below if y	noncustodial pare ou wish to receive	nt, or to receive all Child Supp e locate-only services:	port	
	Otherwise, all services will be provide					,	
IV)	By my signature below, I am stati sections 14- 09-09.26 and 14-09-0 client relationship between me an	9.27, the real party in intere	est is the	's attorney is no people of North	t my private attorney but, ac Dakota and there is no crea	cording to NDCC tion of an attorney-	
V)	I authorize the Department to endor	se and negotiate any checks	received f	for me in payment	t of support.		
VI)	I) I agree to report to the Department any and all support payments that are hereinafter received by me directly from the noncustodial parent as long as this agreement is in effect. I will also report any arrangements made between me and the noncustodial parent that affect the amount due.						
VII)	I acknowledge that all support paym	ents collected will be paid ou	it in accord	dance with federa	I and state distribution rules.		
VIII)	In the event that I have to repay the from future support payments.	Department to correct an ove	erpayment	t to me, I agree th	e Department may withhold a	reasonable amount	
	 I understand that my consent is c I understand that if I give my conwithdrawing my consent. I understand that if I do not give through other means, including to 	sent and later change my mir ny consent, the Department i aking me to court, if necessal	nd, I must is not prev ry.	notify the Departi rented from seeki	nent in writing that I am		
IX)	I understand that if I have never rece through Sept. 30) in which at least \$8	ived TANF (formerly AFDC), 500 in support has been colle	the Depar ected on m	rtment will charge ny case. The Dep	an annual fee of \$25 for each partment will retain this fee from	n federal fiscal year (Oct. 1 on the support collections.	
X)	The Department may release any infrequires the information.	ormation contained in the off	ice record	s to another state	or jurisdiction when interstate	enforcement action	
XI)	I have received a copy of the service	s and responsibilities notice	(DN 1200)				
DISTR	IBUTION: Original-Department Canary-Applicant		Applica	nt		Date	
		FOR OFFICE USE	ONLY-A	plication inform	ation		

Date Requested MO DY YR

Date Provided MO DY YR

Date Received MO DY YR



Disclosure of the social security number is required pursuant to 42 USC 654a(e)(3) and(e)(4)(D) and is requested for the purpose of inclusion in the state case registry. Failure to disclose this information will affect participation in this program.

Please complete this form to the very best of your ability. The information on this form will help the Child Support Enforcement program provide services now and in the future. Some of the information you will likely know and other information you may need to research. For the information you need to research, some useful documents to consider include tax returns, identification cards, driver's license, bills, bank records, pay stubs, marriage licenses, and birth certificates.

A. INFORMA Full Name (First,	Middle, Ma	iden,	Last, an	d Suffix)		Geno		☐ Female	Social Sec	curity Numb			Birth (MM/D	D/YYYY)
Home Address							 	Home Telephone Number			Cell Phone Number			
City									State	Zip Code		Work Te	lephone Nu	mber
E-mail Address				·					<u> </u>					
<u> </u>														
B. INFORMA parent)	TION AB	TUOL	THE	NONCUS	STOD	IAL P	AREN	ı uoY) Ti	must com	iplete a si	eparate	form for e	∍ach nonc	custodial
Full Name (First,	Middle, Mai	iden, ¹	Last, an	d Suffix)				1	Nickname	or Alias			Gender	
Social Security N	umber		US Citi			If No,	Citizen	of What C	Country					ie
Date of Birth (MM	//DD/YYYY))		s No ximate Date	of Birti	n (if birt	thdate u	ınknown)	Place of B	irth (City an	ıd State o	r Country)		
Is Noncustodial F														eased, skip to
∐No ∏Yes	s-Date of De	eath (/YYYY): ce (Check a	-11 that :	h/\		ce of Death		• • • • • •			Section	on C.
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Hair Color (Check	(only one)	_	Black Blonde	☐ Brown☐ Gray		Red/Aut White				(Check only		Blue [Green	Hazel
List Other Disting	uishing Fea								rent Have A		hildren?] Blown L	Gray	Black
Home Address						1119	<u>، ب</u>	(es-Fuii ivi	lames of Ch	ildren:		Home Tel	lephone Nur	mber
City						-			State	Zip Code		Cell Phon	ne Number	
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Mailing Address (_		-				<i>'</i>						
Previous Address	if Current A	Addres	ss Unkn	own (Street	t, City, S	State, Z	ʻip)							
Name of Employe) [City				State	
Name of Previous	s Employer								City			State		
Usual Occupation	ı			···										
Currently in the M										in the Milita	-			
Noncustodial Pare		~	e: SSI			$\overline{}$	Public /	Assistance,		Yes-Bra	nch of Se	rvice:		
(Check all that ap		į		ial Security I	Disabili	ity □\	Workers	rs Compens	e, State: sation, State ompensatio					
Noncustodial Pare	ent's Mother	r's Na	me (Firs	it, Middle, N	/aiden,		<u> </u>		 		Father's	Name (First,	Middle, Las	it, Suffix)
Items Noncustodia (Check all that ap		wns	☐ Car	=	Motorcyo Boat	cle	Hous	=	Business Savings A	Count [Stocks	ng Account	Mobile	e Home
List Any Other Inv	 	Resou			<i>Na.</i>		turn				rent Have	a Driver's L	.icense?	
Is Noncustodial P	Parent in Prisss-Where?	son?				I	Noncusto	_	nt Been in F	Prison in the				

SFN 74 (06-2005) Page 2 C. INFORMATION ABOUT THE CHILDREN OF THE NONCUSTODIAL PARENT WHO IS LIETED IN SECTION R

Case	Number	(Agency	Use	Only)

FIRED IN SEC	HON B								
1. Full Name (First, Middle, Last, and Suffix)									
Gender Male Female	Social Securit	ly Number	Date of Birth (MM/DD/YYY)	/) Plac	e of Birth (City and State)				
2. Full Name (First, M	liddle, Last, and	d Suffix)							
Gender Male Female	Social Securit	ty Number	Date of Birth (MM/DD/YYY)	/) Plac	e of Birth (City and State)				
3. Full Name (First, Middle, Last, and Suffix)									
Gender Social Security Number Date of Birth (MM/DD/YYYY) Place of Birth (City and State)									
4. Full Name (First, M	liddle, Last, and	d Suffix)							
Gender Male Female	Social Securit	ly Number	Date of Birth (MM/DD/YYY)	() Plac	e of Birth (City and State)				
If more than 4 children	nlease attach	a senarate sheet r	providing the above information	<u></u>					
					-0				
	_		port for any of the children lis	ea above	8 <i>1</i>				
No - Skip next 2 li	nes	Yes-Continue wi	th questions below:						
Amount \$	per		For Which Children?						
Date Last Received (N	MM/YYYY)	State/County, or	Tribal Court Involved	Case N	umber		Year of Court Order		
Has paternity been est	ablished for the	e children by signin	g a Voluntary Acknowledgme	nt of Pat	ternity?	•			
			3		Which State?		When?		
	Which Childre				Willon State:		vollett:		
Were the children born	n while the pare	ents were married o	r within 9 months of divorce?						
					L No ☐ Yes-Si	cip to Se	ection D.		
Has paternity been es	tablished for the	a children by a cou	t order?						
No - Skip to Sec	tion D. 🔲	Yes-Continue with	the following question: For	Which C	hildren?				
State and County of C	ourt Involved		Case Number		1	Year of	Court Order		
•					ł				
D. IF YOU ARE T	HE <u>PAREN</u>	, COMPLETE	THIS SECTION (if you	are NO	OT the <u>parent</u> of the chi	ldren,	skip to Section E).		
Are you, or were you le	egally married t	o the other parent?)				,		
	-			ihe and a	toto):				
	en (month and		Where (d	ity and s	itate).				
Are you legally separa									
☐ No ☐ Yes-Wh	en (month and	year):	Court wh	ere sepa	ration was filed (city and state)	:			
Are you legally divorce									
☐ No ☐ Yes-Wh			Where (d	ity and s	tate):				
			· · · · · · · · · · · · · · · · · · ·						
	on pending agai	mst the Moncustodi	al Parent, for example, a div	いっこ おいにし	ЛІТ		i		
NoYes									
Did you ever live with	the other paren	t?			Date:				
□ No □ Yes-Pro	vide Address:				From:	To:			
E. IF YOU ARE NOT THE PARENT, COMPLETE THIS SECTION (otherwise, skip to Section F)									
Were the parents man					s divorced?				
No ☐ Yes ☐ No ☐ Yes									
How are you related to the children?									
Do you have legal cus	tody of the chil	dren?							
No-Skip to Section F. Yes-Complete this section.									
State and County of Court Involved Case Number Year of Court Order							f Court Order		
F. STATEMENT AND SIGNATURE									
I understand the information given above may be investigated and I certify that this information is true and complete to the best of my knowledge.									
Signature						Date			

ACKNOWLEDGMENT OF NONREPRESENTATION

I, a recipient of child support services, have read and understand the following:

- 1. The state of North Dakota has a lawyer to assist in securing child support but this lawyer is not my lawyer.
- 2. I have the right to hire my own lawyer, at my expense, if I want.
- 3. Child support officials and the state's lawyer may work on my case to locate a noncustodial parent, establish paternity, secure repayment of government benefits (such as TANF and Medicaid), establish medical support, enforce medical support, establish child support, enforce child support, or modify an order for support. The state has an interest in doing all these things. The state's lawyer will represent the state's interest.
- 4. The state's lawyer will not be able to help me with other matters such as child custody, visitation, tax deductions, or property settlements, even though these things may seem connected to child support. If I want a lawyer to help me with these other matters, I must get my own lawyer.
- 5. I must cooperate with child support officials and the state's lawyer if I want to receive child support services.
- 6. When I give information to child support officials or the state's lawyer, that information may be used if the officials or the state's lawyer think it is necessary or appropriate to use it. I will not be able to tell them that the information cannot be used. I will not be able to tell them how to use the information.

The North Dakota laws that deal with paragraphs 1 through 6 above can be found in North Dakota Century Code sections 14-09-09.26 and 14-09-09.27.

By my signature below, I am stating that I have reviewed and understand this

nt of Nonrepresenta	ation.	
day of	, 20	
-	Signature	
	day of	nt of Nonrepresentation day of, 20 Signature

Agency Use Only Person ID:

STATE OF NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES CHILD SUPPORT ENFORCEMENT DIVISION NON-TANF SUPPORT ENFORCEMENT SERVICES AND RESPONSIBILITIES

Child Support Enforcement (CSE) provides locate, paternity, child support, spousal support, and medical support services. Recipients of Temporary Assistance for Needy Families (TANF) receive these services automatically. Other individuals may apply for these services; their cases are called "Non-TANF" cases. This Notice describes CSE's services, responsibilities of the individuals receiving the services, fees, accounting procedures, and use and disclosure of information for Non-TANF cases.

SERVICES - ALL CASES

- 1. CSE will determine the methods and strategies used to collect support and fulfill its duties.
- 2. CSE will make reasonable efforts, consistent with its priorities and procedures, to:
 - a. Locate the noncustodial parent;
 - b. Obtain an order establishing the noncustodial parent's child support obligation according to child support guidelines, if no order exists:
 - c. Establish paternity;
 - d. Enforce child support orders;
 - e. Collect ordered spousal support if current child support, based on the same order, is being collected;
 - f. Collect interest;
 - g. Obtain or enforce an order for medical support, including health insurance coverage; and
 - h. Review cases for potential adjustment to the support amount, either upward or downward, using child support guidelines. (A review of the support amount may be requested by either parent).
- 3. CSE will monitor for delinquent child support payments through a delinquency control system and will try to initiate appropriate enforcement action when CSE becomes aware of the delinquency.
- 4. If the noncustodial parent lives in a state other than North Dakota, CSE may have to refer the case to that state to establish or enforce child support payments. Because of differences in state laws and procedures, out-of-state cases present additional problems and often take more time. CSE will release any information contained in office records to another state or jurisdiction when interstate enforcement action requires the information.
- 5. In performing services for you, CSE is assisted by attorneys. These attorneys represent the state. They are not your personal attorneys.

This means that no attorney-client relationship exists between you and the CSE attorney. It also means that in the event of a conflict between your interests and those of the state, the CSE attorney will have to resolve the conflict in favor of the state's interests. Should the CSE attorney become aware of such a conflict of interest, he or she will try to inform you.

CSE cannot provide all the services that you may receive from a private attorney. For example, CSE cannot provide services to you regarding custody, visitation, or any other issue not directly related to child support.

If you require legal advice, desire specific legal action, or desire routine involvement in deciding the methods to be used in your case, you may want to consider using a private attorney who may be able to provide you with more individualized service.

- 6. Your case will close under the following conditions:
 - I. a. Upon your written request;
 - b. When CSE has been advised that you have applied for services in another state, or
 - If you are a custodial parent who requested locate-only services, when those services have been provided.

You may request CSE to reinstate your services if changed circumstances could lead to the establishment of paternity, establishment or enforcement of a support order, or a review and adjustment of the support order or, in accordance with federal regulations found at 45 C.F.R. 303.11.

- II. a. If your child has reached the age of majority, there is no longer a current support order, and arrears are under \$500 or unenforceable under state law;
 - If your child has not reached the age of majority but there is no longer a current support order and arrears are under \$500 or unenforceable under state law;
 - c. If you applied for services as a custodial parent and CSE has information that you no longer have legal or physical custody of your child or children.
 - d. If CSE has been unable to contact you for more than sixty days despite attempts to do so that include at least one letter sent by first-class mail to your last-known address;
 - e. If CSE cannot obtain jurisdiction over the noncustodial parent;
 - f. If the noncustodial parent has died and no further action can be taken;
 - g. If paternity cannot be established because, for example, genetic testing or the court has excluded the alleged father:
 - h. If CSE has been unable to locate the noncustodial parent for three years if the noncustodial parent's social security number is known or for one year if the noncustodial parent's social security number is not known:
 - If the noncustodial parent has been institutionalized in a psychiatric facility or is incarcerated with no chance of parole and cannot reasonably be anticipated to pay support for the time remaining until the child or children reach the age of majority;
 - j. If the noncustodial parent has a medically verified total and permanent disability with no evidence of support potential;
 - k. If the noncustodial parent is a citizen of and lives in a foreign country, does not work for the United States government or for a company with offices in the United States, has no reachable domestic income or assets, and CSE does not have reciprocity with the foreign country;
 - I. If CSE has documented evidence that you have not cooperated and your cooperation is essential for the next enforcement step.
 - Failure to cooperate includes:
 - Failure to appear at a CSE office or at another location designated by CSE to provide information, testimony, or evidence for the purpose of legal proceedings; or
 - (2) Failure to complete and return forms or otherwise provide information needed to service your case; or
 - (3) If you are a custodial parent, failure to report to CSE any child support payments that are made directly to you; or
 - (4) If you are a custodial parent, failure to repay to CSE any child support collections you receive that you are not entitled to keep.

CSE will not terminate services for any of these reasons if you contact CSE, within 60 days after issuance of a written notice of termination, and provide information that could lead to the location of the noncustodial parent or to the establishment or enforcement of a support order. After 60 days, you may request CSE to reinstate your services if changed circumstances could lead to the establishment of paternity, establishment of a support order, or the enforcement of a support order.

TAX REFUND OFFSET

- 1. CSE may submit the case for federal and/or state tax refund offset. With this method of collecting child support arrears, the noncustodial parent's tax refund is intercepted and applied to arrears.
- 2. Conditions for submittal for tax refund offset are as follows:
 - a. You must be a Non-TANF applicant pursuant to Section 454(6), Title IV of the Social Security Act, and you cannot obtain only tax refund offset services.
 - b. There must be a valid court or administrative order for child support.
 - c. The noncustodial parent must have child support arrears of at least \$500.
 - d. The noncustodial parent's social security number has been verified.

- e. You may need to provide CSE with a copy of the order and any modifications. In cases with arrears from a time period prior to application for CSE services, you may need to provide a certified copy of the support payment record or a signed affidavit before these arrears can be submitted for offset.
- 3. There is no guarantee that monies will be collected on the case through tax refund offset.
- 4. If a collection is made through federal tax refund offset, CSE has the authority to hold the refund, if it involves a joint return, for up to six months before sending the collection to the custodial parent.
- 5. If you are a custodial parent who has received public assistance in North Dakota in the past and CSE has submitted a debt for federal tax refund offset, the State's debt will be satisfied first.
- 6. If you are a custodial parent, you are personally liable for the repayment of any monies received by you that were an overpayment, including any amounts that may be returned to the noncustodial parent due to the filing of an amended return by the noncustodial parent's spouse. The amended return may be filed as much as six years later.

ACCOUNTING PROCEDURES

- CSE will endorse checks, money orders, and drafts received in payment of support. This is necessary to allow the office to process payments.
- 2. When money is collected for child support, CSE will determine where the money should be applied according to federal and state distribution requirements.
 - Example: Payments are usually applied to current child and medical support first. However, money sent to us from a federal tax refund offset will not be applied to current support. Federal tax refunds will only be applied to arrears that were certified (reported) to the IRS.
- 3. When the noncustodial parent, an employer, the Secretary of the Treasury, the State Tax Commissioner, etc., sends a support payment to CSE, CSE will send the appropriate amount to the custodial parent. This is an "advance" of funds pending the actual processing of the support payment. If CSE is unable to process the support payment for any reason, the custodial parent must repay CSE.
 - Example A: If the noncustodial parent's support check is written on insufficient funds (bounces) and efforts to get the noncustodial parent to make the check good fail, the custodial parent must repay the amount of the advance to CSE.

Example B: If the Internal Revenue Service takes back the amount of the federal tax refund offset, the custodial parent must repay the amount of the advance to CSE.

To facilitate this repayment process, the custodial parent may authorize CSE to withhold a reasonable amount from future support payments as repayment. This authorization may be given as part of the application process but it is not a requirement in order to receive services from CSE. If the custodial parent does not give authorization as part of the application process and repayment becomes necessary, CSE will attempt to set up a repayment plan with him or her or seek repayment through the courts if necessary.

COSTS AND FEES

- 1. If, in a paternity case, the custodial parent names someone as the father and this individual is later excluded by genetic tests, the custodial parent may be required to pay the cost of the genetic tests.
- 2. If you request your case be referred to the Secretary of the Treasury for full enforcement services by the IRS and CSE approves this request, you must pay \$122.50, which is the fee charged by the IRS for this service.
- 3. You may be required to pay additional court costs.
- 4. If you are a custodial parent who has never received TANF, CSE will charge an annual fee of \$25 for each federal fiscal year (October 1 through September 30) in which at least \$500 in support has been collected on your case. CSE will retain this fee from the support collections.

5. CSE reserves the right to charge additional fees; however, you will receive notification at least thirty days prior to implementation of any new fee schedule or collection of any fee for future services.

PARENT'S RESPONSIBILITIES

- If you are a custodial parent and you receive your child support payment directly from the noncustodial parent, it
 is your responsibility to report the money to CSE immediately. All child support payments must be reported to
 CSE. It is necessary to report these payments to CSE for proper accounting and recording and to enable CSE
 to claim federal funding for the costs of the service.
- 2. CSE is most effective when you work with them to enforce child support orders. You may assist CSE by:
 - a. Providing certified copies of your support orders. This is usually a decree of divorce, but could be another type of order such as a paternity order, juvenile court order, separate maintenance order, or an order modifying child support or spousal support obligations.
 - b. Completing and returning, as quickly as possible, all forms, requests for information, or data requested by CSE.
 - Informing any agent or lawyer, whom you retain to assist in other domestic matters, that you are receiving services from CSE.
 - d. Notifying CSE if you, either personally or through a private attorney, filed any pleadings to establish or modify a support obligation or to recover support due.
 - e. Promptly furnishing any changes in your address or in the other parent's address.
 - f. If you are a custodial parent, refraining from personally contacting the noncustodial parent's employer.
 - g. Calling for an appointment if you wish to see your child support worker.

USE AND DISCLOSURE OF INFORMATION

- Information you provide CSE may be disclosed to, and used by, public officials who require such information in connection with their official duties.
- 2. Information you provide CSE will be used for purposes directly connected with the administration of CSE. This may include the use and disclosure of social security numbers, of you and your child(ren), for various purposes such as locating the noncustodial parent, cataloging the case files, submitting cases for tax refund offset and securing health insurance coverage for the child(ren). Social security numbers may be disclosed to the noncustodial parent or noncustodial parent's health insurance company in order to enroll the child(ren) in medical insurance.
- 3. CSE will follow all federal and state confidentiality requirements, in regard to safeguarding of information.

If you have any questions regarding this information, please contact your local Regional Child Support Enforcement Unit listed below:

Bismarck RCSEU 316 N 5 th St., Suite 300 PO Box 7310 Bismarck, ND 58507 (701) 328-0955	Dickinson RCSEU 135 Sims Street #202 Dickinson, ND 58601 (701) 227-7424	Grand Forks RCSEU 151 S Fourth Street #N101 PO Box 5756 Grand Forks, ND 58206 (701) 795-3960	Minot RCSEU 305 17th Avenue SW Suite A PO Box 2249 Minot, ND 58702 (701) 857-7696
Devils Lake RCSEU 206 Fifth Street NE Devils Lake, ND 58301 (701) 665-4475	Fargo RCSEU 4950 13 th Ave. S, Suite 22 PO Box 2987 Fargo, ND 58108 701) 298-4900	Jamestown RCSEU 804 13th Street NE PO Box 427 Jamestown, ND 58402 (701) 253-6260	Williston RCSEU 205 E Broadway PO Box 2047 Williston, ND 58802 (701) 774-7940

The Department of Human Services makes available all services and assistance without regard to race, color, religion, national origin, age, sex, political beliefs, disability, or status with respect to marriage or public assistance. The Department of Human Services makes its programs accessible to persons with disabilities. Persons needing accommodation or who have questions or complaints regarding the provision of services should contact their local Regional Child Support Enforcement Unit or the Child Support Enforcement Division at (701) 328-3582 or toll free in ND: 1-800-755-8530; TTY: 1-800-366-6888.